

Special Meeting of the
South Dakota State Emergency Response Commission Meeting
Conducted via the Digital Dakota Network

State Capitol Building
Pierre, SD

Southeast Technical Institute
Sioux Falls, SD

South Dakota State University
Brookings, SD

South Dakota School of Mines and Technology
Rapid City, SD

December 15, 2003
3:00 p.m. CST

CALL TO ORDER AND ROLL CALL: Chairman Robert McGrath called the meeting to order.
A quorum was present.

COMMISSION MEMBERS PRESENT: Robert McGrath, Joe Nadenicek, Kurt Doeden, Kristi Turman, Mike Durick, Al Christie, and Barb Telkamp.

COMMISSION MEMBERS ABSENT: None.

OTHERS PRESENT: See attached attendance sheets.

INTRODUCTIONS: Participants at each of the sites introduced themselves.

APPROVAL OF MINUTES FROM THE OCTOBER 31, 2003 MINUTES: Motion by Turman, seconded by Durick, to approve the minutes from the October 31, 2003, State Emergency Response Commission meeting. A roll call vote was taken and the motion carried.

CITIZEN CORPS PRESENTATION: Kristi Turman reported that Citizen Corps is the component of USA Freedom Corps that creates opportunities for individuals to volunteer to help their communities prepare for and respond to emergencies by bringing together local leaders, citizen volunteers, and the network of first responder organizations, such as fire departments, police departments, and emergency medical personnel. The goal is to have all citizens participate in making their communities safer, stronger, and better prepared for preventing and

handling threats of terrorism, crime, and disasters of all kinds. Ms. Turman noted that Citizen Corps was formed following the September 11, 2001, terrorist attacks.

Citizen Corps oversees four programs - The Neighborhood Watch Program, Volunteers in Police Service, the Community Emergency Response Team (CERT) program, and the Medical Reserve Corps. Citizen Corps also works with other volunteer groups. Ms. Turman noted that Citizen Corps councils can also develop their own programs that would benefit their community.

Ms. Turman stated that the Citizen Corps approach to making America a safer place through community based efforts is a national network of state, local, and tribal Citizen Corps Councils. An example of the membership of a local Citizen Corps Council would be first responders, emergency management personnel, volunteers, elected officials, business leaders, schools, media executives, transportation, special needs populations, and other leadership from the substructure. Ms. Turman noted that some of the membership reflects the makeup of the Local Emergency Planning Committees (LEPCs). The Office of Emergency Management sent a letter to all of the LEPCs in South Dakota encouraging them to take on the Citizen Corps designation for their communities.

Ms. Turman stated that funding is available from the United States Department of Homeland Security to implement Citizen Corps. Eighty percent of the funds go to local communities and 20% of the funds are kept by the state for administrative purposes and other projects. Citizen Corps grant guidance requires states to form State Citizen Corps Councils.

Ms. Turman requested that the Emergency Response Commission consider being the State Citizen Corps Council.

Kurt Doeden asked how many CERTs have been established in South Dakota to date. Ms. Turman answered that there are ten or twelve CERTs across the state at this time.

Ms. Turman answered questions about the grant funding for Citizen Corps and CERTs.

Motion by Christie, seconded by Telkamp, that the State Emergency Response Commission become the State Citizen Corps Council. A roll call vote was taken and the motion carried.

DISCUSSION REGARDING TRIBAL REPRESENTATION ON THE SERC: Ms. Turman stated that the Department of Public Safety would like to see a tribal member or tribal emergency manager appointed to the SERC. She asked the SERC if they would be in favor of appointing a tribal member or tribal emergency manager to the SERC. She also asked what the procedure would be in making this appointment. Ms. Turman noted that the three vacancies on the SERC include: 1) an elected or appointed member of a political subdivision; 2) a member actively engaged in an agricultural business; and 3) a member of a fire department.

The SERC members were in favor of having tribal representation on the SERC.

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John Berheim stated that the Secretary of Public Safety, Tom Dravland supports having tribal representation on the SERC. He noted that it is very hard to get tribes actively involved, but the state should be doing everything it can to include the tribes in the process.

Al Christie suggested that rather than dealing with legislation to change the makeup of the SERC, a tribal firefighter who is also a member of a TERC, fill one of the vacancies on the SERC.

Joe Nadenicek said he sees some value in changing the statute in regard to the law relating to the SERC membership. John Berheim, the director of Homeland Security is, by statute, no longer a member of the SERC and it would be appropriate to have him be a member. Mr. Nadenicek noted that the window for new legislation was formally closed in October 2003, but the SERC could look at submitting legislation to change the statute for the 2005 Legislative Session.

Mr. Nadenick said it is the Governor's prerogative to structure state government to some degree at his pleasure. A change like this could be made through a bill introduced that goes through the legislative process. There is also a collateral process that is provided in the Constitution that is called an Executive Reorganization Order that the Governor files within the first five days of the Legislative Session. During the course of the legislature, either body, the House or the Senate, has the opportunity to review it and reject the change. If they don't reject it during the course of the legislature, then it goes into effect after 90 days. Mr. Nadenicek suggested the SERC use this approach during the next legislative session.

Discussion took place regarding Resolution #2003-01 that the SERC adopted in May of 2003. The resolution requests that SDCL 1-50-1 (SERC - Membership) be amended by legislation of executive reorganization order to add the state Homeland Security Coordinator as a permanent voting member of the SERC.

John Berheim stated that Secretary Dravland appointed him to head up a group of professional radio users to smooth out the problems with the new state radio system. He noted that the tribal law enforcement offices were not authorized to be on the state radio communications system. Legislation will be introduced to include them as an authorized radio user. It may be possible to amend this bill to include tribal representation on the SERC.

Mr. Nadenicek said he believes the window for 2004 legislation is closed.

Mr. Christie noted that if John Berheim's position is included on the SERC membership, there will be three people from the Department of Public Safety serving on the SERC - Al Christie, Kristi Turman, and John Berheim.

Chairman McGrath said the SERC has been trying to get the three vacancies filled for several years.

Motion by Nadenicek, seconded by Turman, that Al Christie and Kristi Turman work on finding a tribal member to fill one of the three vacancies on the SERC. A roll call vote was taken and the motion carried.

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OTHER BUSINESS: The next SERC meeting is January 30, 2004, at 1:00 p.m. CST. The meeting will be conducted via the Digital Dakota Network at sites in Pierre, Rapid City, Brookings, and Sioux Falls.

ADJOURN: Motion by Doeden, seconded by Turman, that the meeting be adjourned. Motion carried.

Robert B. McQueth 1/30/04
Chairman Date

Barbara Telkamp 1-30-04
Witness Date

STATE CAPITOL BUILDING
PIERRE

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

[illegible]

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

DECEMBER 15, 2003

SOUTHEAST TECHNICAL INSTITUTE
SIOUX FALLS

NAME (PLEASE PRINT)

ADDRESS

REPRESENTING

Kurt Doeden

Sioux Falls

SERC

ATTENDANCE SHEET

STATE EMERGENCY RESPONSE COMMISSION MEETING

CONDUCTED VIA THE DIGITAL DAKOTA NETWORK

DECEMBER 15, 2003

SOUTH DAKOTA STATE UNIVERSITY
BROOKINGS

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REPRESENTING

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